

REMARKS

In response to the Official Action of January 10, 2007, claim 1 has been amended in a manner which is believed to overcome the rejection of claims 1-5 under 35 USC §112, second paragraph.

More particularly at paragraph 3 with respect to claim 1, the Office asserts that the phrase "the resilient holding means" at line 12 fails to have proper antecedent basis. This phrase is now recited positively at line 12 and therefore this rejection of the claim is believed to be overcome.

Referring now to paragraphs 4 and 5 of the Official Action, claim 1 is rejected under 35 USC §102(b) as being anticipated in view of JP 03270964, Yamashita. Yamashita discloses a printing device as shown in Figure 2 for printing endless thermal sensitive paper (8) that is serially fed to a printing device. The paper (8) is guided by rollers (18,20). A motor (68) drives a shaft (14) and in addition, a shaft (16) (see Figure 3). As further seen in Figure 3, along the shaft (16) there are three thermal printing heads (44,66,67) each of which is flexibly supported by a carrier device (46,62,62') respectively such that between the printing heads (44,66,67) and the paper (not shown in Figure 3) a counter-pressure against paper shaft (14) is formed at a predetermined surface pressure on the paper (8) to be printed.

Moreover, according to Yamashita, each of the printing heads (44,66,67) is respectively carried by a carrying means (50,52,53) for flexibly (resiliently) supporting the thermal slats (44,66,67).

An important feature of the present invention is that an adaptor means (7) which is exchangeable together with a thermal slat (3) of a printing head gives rise to the effect that the excursion of a resilient holding means (9) for the thermal slat can be adjusted such that a surface pressure is constant irrespective of the width of the thermal slat.

This solution is set forth in amended claim 1 and is not anticipated nor suggested by Yamashita. In particular, the head carrying devices (50,52,53) shown in Figure 3 of Yamashita cannot be assumed as to be an adaptor means in the sense of the present invention, but are merely a carrier for the thermal printing heads (44,66,67). For this reason alone, it is not an adaptor means as disclosed and claimed in the present application because Yamashita shows no necessity of adapting; that is, adjusting, for these heads. Furthermore, the printing device of Yamashita is equipped with non-interchangeable printing heads (44,66,67) which are respectively pressed against the paper shaft (14) by the flexibility of springs (46,62,62').

It is therefore respectfully submitted that Yamashita neither discloses nor suggests providing an adaptor means nor embodying a thermal slat/thermal printing head in an interchangeable manner. In fact, Yamashita shows that paper (8) to be printed on always has the same width which supports the fact that there is no need for any interchangeability as disclosed and claimed in the present application. Therefore, the solution disclosed in Yamashita gives no idea concerning the inventive aspects of the present invention.

It should be noted that the problem that forms the basis of the present invention is based on the fact that it is desired to use thermal slats of different widths. If a thermal slat is used which greatly exceeds the widths of the labels to be printed, the operation of the device will be interrupted because substantial wear may occur in the lateral areas within the printing range of the labels. In addition, the present invention discloses and claims that it is desirable that a surface pressure is respectively equal for any respective width of the thermal slat during printing.

For all of the foregoing reasons, it is respectfully submitted that claim 1, as amended, is not anticipated by Yamashita.

Since claim 1 is believed to be not anticipated by Yamashita, it is respectfully submitted that claims 2 and 3 are further not anticipated by Yamashita due to their ultimate dependency from claim 1.

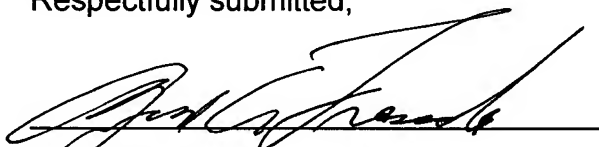
Applicant notes that claims 4 and 5 are indicated at paragraph 6 to be allowable if rewritten to overcome the rejection under 35 USC §112 and if these claims include all of the limitations of the base claim and any intervening claims. The rejection under 35 USC §112, second paragraph has been overcome by the amendment to claim 1 and since claim 1 is believed to be allowable, applicant has not amended claims 4 and 5 so as to be written in independent form.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

The undersigned respectfully submits that no fee is due for filing this Amendment. The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,

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